

**Sierra Nevada Conservancy
Board Meeting Agenda
October 4-5, 2006**

**BOARD MEETING LOCATION
Eastern Sierra Tri-County Fairgrounds
Home Economics Building
Sierra Street & Fair Drive
Bishop, CA 93515**

October 4, 2006

12:00 noon – 7:00 p.m.

Field Trip and Reception

12:00 noon – Members of the Board and staff will participate in a field trip reviewing the lower Owens Valley. The field trip will begin at the Creekside Inn, 725 North Main, Bishop, CA. (Members of the public may participate in the field and reception but are responsible for their own transportation. Limited space may be available on the bus that will be leaving the Creekside Inn at 12:00 noon). Those wishing to reserve a spot on the bus should call 530-823-4672 to determine if space is available. Following the field trip, a reception will be held at Inyo Council for the Arts located at 137 S. Main Street, Bishop, CA beginning at 5:30.

October 5, 2006

9:00 a.m.

Board Meeting

- I. Call to Order**
- II. Introduction and Oath of Office for new Boardmembers**
- III. Roll Call**
- IV. Approval of July 20, 2006 Meeting Minutes**
- V. Public Comments**
Provide an opportunity for the public to make comment on non-agenda items.
- VI. Chairman's Report**
 - A. Sub Region Representatives Terms Expiring
 - B. Election of a Vice Chair at December meeting
 - C. Delegation of Authority to the Executive Officer
- VII. Executive Officer's Report**
 - A. Modoc Line
 - B. Proposition 84
 - C. Sierra Cascade Grant Update
 - D. Budget Report
 - E. Staffing Update

VIII. Deputy Attorney General's Report

IX. Eastern Sub-Region Counties Report

Representatives of Eastern Region counties will provide the Board with a brief overview of key information regarding their counties, including significant issues in the area of the SNC's mission.

X. Action Plan Update

The Board will be briefed on progress on the Action Plan.

XI. Sierra Nevada License Plate

The Board may provide direction to the Executive Officer relative to pursuing a Sierra Nevada License Plate under the provisions of AB 84 (*at this time the Governor has not acted on this legislation, this item will be discussed if the Governor signs the bill*).

XII. Regional Office Selection Criteria

The Board will review and may take action on proposed criteria for the establishment of satellite offices for the Conservancy.

XIII. 2007 Meeting Schedule

The Board may approve a meeting schedule for 2007.

XIV. Board Members' Comments

XV. Public Comments

XVI. Adjournment

Staff reports on individual agenda items are available on the SNC website at www.sierranevada.ca.gov. For additional information or to submit written public comment on any agenda item, please contact Ms. Grace at (530) 823-4672 or tgrace@sierranevada.ca.gov, or 11521 Blocker Drive, Suite 205, Auburn CA 95603.

Closed Session: Following or at any time during the meeting, the Conservancy may recess or adjourn to closed session to consider pending or potential litigation; property negotiations; or personnel-related matters. Authority: Government Code Section 11126(a), (c) (7), or (e).

NOTES:

In accordance with Title II of the Americans with Disabilities Act of 1990, reasonable accommodations are available. Requests for reasonable accommodations should be made at least five working days in advance of the meeting date. To request reasonable

accommodations, including documents in alternative formats, please contact Ms. Grace at 530-823-4672.

Sierra Nevada Conservancy
Meeting Minutes
July 20, 2006

Location: Tulare County
Board of Supervisors Chambers
2800 West Burrel Avenue
Visalia, CA

I. Call to order

Chairman Chrisman called the meeting to order at 9:05 a.m., in the Tulare County Board of Supervisors Chambers (2800 West Burrel Avenue, Visalia CA).

II. Roll call

Members Present: Linda Arcularius, Helen Bauman, John Brissenden, Mike Chrisman, Brian Dahle, Allen Ishida, Bob Kirkwood, BJ Kirwan, Carol Whiteside, Kim Yamaguchi, Mike Tollefson, and Beth Pendleton

Members Absent: Byron Sher, Louis Boitano, and Mike Genest

III. Approval of February 23, 2006 Minutes

There were no changes to the minutes.

Action: Boardmember Kirkwood moved and Boardmember Kirwan seconded a motion to approve February 23, 2006 minutes. Motion passed unanimously.

IV. Approval of June 1, 2006 Minutes

There were no changes to the minutes.

Action: Boardmember Kirkwood moved and Boardmember Kirwan seconded a motion to approve June 1, 2006 minutes. Motion passed unanimously.

V. Chairman's Report

Chairman Chrisman asked for feedback on the field trip:

- Boardmember Yamaguchi stated that Butte County faces many of the same issues and it was helpful to see how other counties are addressing them.
- Boardmember Brissenden was impressed with the tour and issues addressed and found the tour insightful and encouraging.

- Boardmember Kirkwood commented on the specific positioning of proposed developments throughout the foothills on agricultural lands that had never previously been considered to be prime development areas.
- Boardmember Arcularius liked the variety given on the tour; it was done in a timely manner and got the flavor of the territory. She suggested that the Board track the Boswell project as it moves forward.

Discussion occurred regarding the public policy issue of balancing the protection of agriculture and allowing sustainable development in these areas. Boardmember Ishida stated the project is early in the process. He also indicated that the lack of ground water is usually an issue in the foothill communities.

Boardmember Whiteside noted this is the issue she raised at the June meeting and the Board and SNC should monitor this project. She also stated that a draft internal concept map/plan of the San Joaquin Valley will be available for review that illustrates a system of identifying the different highly valued properties where there may be opportunities for conservation. The Board needs to have a discussion to determine what it can do to develop a similar system to evaluate opportunities in the Sierra to help people make rational decisions about where pockets of development can be located and how they connect to public open spaces.

Chairman Chrisman briefly described two large potential projects, involving over 270,000 acres, under pressure to be developed, and that a similar planning process would be valuable for agencies and planners to take a more comprehensive look at patterns for responsible conservation and public access opportunities.

Chairman Chrisman gave some background of the production of a three minute video of the Region and the SNC mission. The video was produced for the SNC by Convergence Media Productions, with funding from the Resources Legacy Fund. This video was donated to SNC and will be distributed to each Boardmember.

Jim Branham noted there are approximately 300 hours of video tape in the library that is available to the SNC and other governmental and non profit organizations. He also mentioned that Sherry Bartolucci of Synergistica Consulting worked on the production of the video. It was suggested that other video such as Southern California Edison and PG&E footage could be added to the library. The current information is organized by county, geographic area, and seasons.

The SNC will post the video on the website and distribute copies to Boardmembers.

VI. Executive Officers Report

Jim Branham reported to the Board on several issues:

- Staffing update; Theresa Grace and Bob Kingman are both fully aboard and SNC will continue to hire over the next few months.

- The state budget has been approved, with the SNC budget approved as proposed.
- AB 84 (Leslie), which would create the opportunity for a SNC license plate passed the Senate Appropriations Committee and will next be heard on the Senate Floor, before returning to the Assembly.
- The SNC staff is developing criteria for satellite offices to present at the October meeting. The Board may wish to designate a subcommittee to provide oversight as this effort moves forward.
- SNC staff is working with Boardmember Dahle, Lassen and Modoc Counties, and the Bureau of Land Management on the Modoc rail line project. Union Pacific is no longer using this portion of the rail line and a number of interested parties are exploring other potential uses, consistent with the SNC's mission. Boardmember Baumann commented on the success in El Dorado County working with a Joint Powers Agreement and Rails to Trails for abandoned rail lines. In El Dorado, the project was funded by grants and Boardmember Baumann offered to share the information with Boardmember Dahle. Chairman Chrisman asked what the role of the Conservancy and the Board will play in this project. Mr. Branham stated at this time the SNC is serving to coordinate with all of the parties involved and help identify priorities and potential solutions.
- Executive Officer Branham reviewed the memo regarding criteria for letters of support from the SNC. Boardmembers agree to the criteria and process providing a degree of flexibility to projects with Regional benefits.

Action: Boardmember Kirkwood moved and Boardmember Brissenden seconded a motion to approve the Criteria for Letters of Support. Motion passed unanimously.

VII. Deputy Attorney General's Report

Deputy Attorney General (DAG) Christine Sproul discussed the legal issues regarding ex-parte communications for Boardmembers. She described ex-parte communications as those occurring between one or more Boardmembers and any person involved with a matter to come before the Board outside of a Board meeting. Stating that the rule against ex-parte communications is intended to protect the integrity of the decision making process, she noted the rule applies to quasi-adjudicatory decisions (such as permit decisions which apply a law to a specific set of facts). For matters that do not involve quasi-adjudicatory decisions (most of the matters that will come before this Board, including adopting regulations, setting policies, awarding grants) there is no prohibition on ex-parte communications. However, in order to assure fairness in decision making, to provide full information to all Boardmembers, and to assure an opportunity to respond to all points of view, she recommended a practice of disclosing communications that occur outside of Board meetings, seeking to communicate with individual members to present their views to the Board, and providing any written materials received to the staff, so they are part of the Conservancy's public records and others can see them.

- Under the Bagley-Keene Act, if the Chairman creates a subcommittee of three or more Boardmembers, notice and agenda requirements apply to committee meetings.
- Boardmembers may meet with and speak to constituents at the member's convenience, but such meetings are not required. The Boardmember may refer individuals to the Executive Officer instead or suggest a presentation to the Board.
- Boardmembers are public officials and people will want to call and to talk you. Remember, as Chairman Chrisman noted, Boardmembers need only listen.
- If approached you could ask the person to attend the next Board meeting and address the Board as a whole. Individuals may address the Board on any matter within the Board's purview during the general public comment section of the Board's meetings.
- If material is submitted, submit the materials to SNC staff or direct the person to SNC and the materials will be distributed to the Board as a whole.
- Individual requests can be made to SNC for an issue to be put on the agenda (this may become important once the Board begins the grant process).

The Board discussed the creation of talking points in the future for Boardmembers.

Next Step: Christine to follow up on suggested ground rules and talking points for Boardmembers.

There was discussion regarding the requirements of the FPPC for the Boardmembers. Several members are concerned with the current status and the filing requirements to assure they are meeting them.

Next Step: Christine to follow up on the FPPC annual requirements with each of the Boardmembers.

DAG Sproul updated the Board on AB 2927 (Leno) noting the bill had not passed and the Attorney General's Office will continue to follow the measure.

VIII. South Sub Region Counties Overview

Boardmember Ishida deferred to Kern County Supervisor John McQuiston to begin the South Sub Region County overviews.

Supervisor McQuiston noted that the Kern River Valley is located in his district and there is great biodiversity in the area, including approximately 340 bird species and 2000 plant species, (the highest in the United States). Recreation includes: cycling, boating, camping, fishing, golfing, hiking, hot springs, mountain biking, snowboarding, windsurfing, and skiing. The Valley is surrounded by 6000-8000 foot peaks of the Sierra Nevada. Tourism is the greatest source of income for Kern River Valley and there are a large number of seniors residing there. An area specific plan regarding the

future of the area and region is currently underway, involving members of the public. McQuiston believes conservation easements could be beneficial to the area and he indicated that he believes strongly in the collaborative process and looks forward to working with the SNC and its Board in the future.

Lynn Gormena, representing Fresno for Bob Waterson spoke next. Fresno County is 6000 square miles, approximately 30% of which is in the Sierra. Fresno County is located both south and north of Yosemite. Fresno is growing faster than other counties, due in part to its relative affordability. The City of Fresno is currently accommodating most of the growth of the County. Fresno County is addressing issues relating to the preservation of prime agriculture lands and potential development in the foothills, where water availability is very limited. Fresno looks forward to SNC for assistance in the areas of comprehensive ground water management. The County just completed a water study where it was able to fund three watersheds and the study pointed out the need to have the watersheds managed. This is vital to the watershed health. The County is also looking to support coexistence of the existing economy and new emerging economies. The County has an active tourism program and is working to develop the history and the cultural resources of the area.

There has been strong community involvement in the foothills in hopes of finding money to complete a Highway 168 corridor management plan. Another issue in the County is access to public lands, management plans for national forest, are very restrictive. The County's concern is the diminishing use of the forest, good roads, open roads, and the fear people will turn away if access is not available. Watershed management planning protects us from fire and provides open access to the forest and the sustainable use of the forests, which has made us who we are today.

Chairman Chrisman stated there was a State water plan with a 30 year perspective that has been produced by the Department of Water Resources to help address the needs for interregional planning, and there has been funding to support integrated city management. He notes, there should be funding and work to see that the connecting regions operate together.

Supervisor Ishida indicated that the recreation percentage has decreased and there is a need to add recreational areas with growth. In going through the public plan there are no foreseeable zoning changes in the foothill area. Tulare County is the home of General Sherman (the sequoia), and the Mineral King Bowl which is an asset to the county. Everyone is concerned about water. Modern technology has brought a new face to looking at water quality. You can now take an aerial shot, turn it sideways and look at the depth of the well and any contaminants in the water.

IX. Strategic Plan

Executive Officer Branham presented the final draft plan to the Board. The final draft includes consideration of Board comments from the June 1st meeting and public

comments received thru July 3rd. The SNC also received some public comments after the due date and copies are in the binder. The plan is now before the Board for action.

The addendum in the packet and also on the overhead screen outlines the changes to the Strategic Plan from the June 1st Board meeting and public comment received, as follows:

- Page 12, should read “efforts and seeks. . . .”
- Page 13, Agency assessment opening paragraph, add “nearly 4 million Californians live within 30 minutes of the region”
- Page 15, add an “s” to council. . .
- Page 19, 2.1 add “tribes”
- Page 21
 - 4.2 change to “statewide interest”
 - Creation of 4.3 Create a subregional and region wide priority setting process, consistent with statute to guide staff and the Board in decision making
- Page 24, add “for visitors and residents”
- Page 25
 - 1.1 add “for all” after recreational opportunities
 - 1.6 change to “increased management, improved access and new trails
- Page 26, add as the last paragraph under Program Goal 2, ‘collaborative integrated watersheds planning efforts. . .’
- Page 27, 2:7 suggestion of including “those aimed at students”
- Page 28, 3:2 add “voluntary”
- Page 32
 - remove “mountain range” under Water
 - change 24 to 31 regarding watersheds
- Page 33, 5.1 add “voluntary”

The Board agreed to all recommended changes. There was a discussion regarding the timeframe covered by the Strategic Plan, and it was noted that on page two of the document, it states that it is a 5-year plan that will be reviewed annually.

Public Comments

Julie Leimbach, Sierra Nevada Alliance, stated that the plan is strong and the inclusion of climate change issue makes it stronger. She also indicated that the articulation of “living resources” is a better clarification and the goals and actions provide clearer direction. She thanked the Board and staff for their efforts.

Boardmember Kirwan moved and Boardmember Whiteside seconded a motion to approve the Strategic Plan. Motion passed unanimously.

X. Action Plan

Executive Officer Branham indicated that a lot was learned through the development of the Strategic Plan, especially at the workshops held around the Region. Building on those efforts, the staff intends to use more public meetings in more communities to gather input on program development. Staff will also continue to meet with the local, federal and state agencies, as well as non governmental partners in moving forward.

Eileen Pope provided an update on the SNC budget, which was approved as proposed. SNC has set aside funds from the 2005-06 fiscal year to purchase vehicles. Staff has been working with the Department of General Services and has reached agreement on purchasing four-wheel drive or all-wheel drive hybrid vehicles from within the Region. SNC was able to carry forward \$276 from last year, that amount was reappropriated for ongoing one time expenditures. The budget includes \$1.4 million in contract funds, and approximately \$2.5 million for staff and other operational expenditures. A total of \$1.3 million was reverted to the Environmental License Plate Fund.

Boardmember Yamaguchi requested additional budget detail so that Boardmembers have a better understanding of how funds are being expended, particularly in the contract area. Boardmember Whiteside asked that the Board's fiduciary responsibility be clarified. Chairman Chrisman questioned whether a finance committee of the Board might be helpful.

Next Step: Staff will provide greater budget detail in future board meetings. Christine Sproul will provide further explanation of the budget oversight process.

Bob Kingman indicated that staff has put together an action plan to guide our activities for the next year. He stated that over the next year satellite offices will be established, additional staff will be hired and program guidelines will be established. Spreadsheets will be used as an internal tool to identify what is due, who is responsible, and what part of the plan it achieves. Achievement milestones will be added to the Web site for the public to monitor the progress. Finally, he said that staff looks forward to an increased amount of public outreach to assist in implementing the Strategic Plan.

Boardmember Brissenden suggests monthly updates from SNC staff to stay abreast of what is going on and stay ahead of the rumor mill. He also suggested that business cards be printed with the mission statement.

Boardmember Whiteside notes it is an aggressive plan and would like affirmations as to how SNC will accomplish these timelines. Mr. Branham agreed, but assured the Board, that through the hiring of additional staff, use of retired annuitants, and the relationships with sister agencies staff is confident that the plan will be completed.

Boardmember Brissenden moved and Boardmember Kirwan seconded a motion to approve the 2006-07 Action Plan. Motion passed unanimously.

XI. Board Members' Comments

Boardmember Whiteside indicated that high speed internet can now be accessed for rural areas throughout the state, except for the Klamath Region. She stated this will be very helpful in the San Joaquin Valley and should be very useful in the Sierra Nevada Region.

There was discussion regarding the October meeting and the Board agreed to hold the board meeting on the 5th and the field trip on the 4th. Boardmember Arcularius suggested touring the lower Owens River, where a project is underway to re-water 60 miles of Owens River. The project brings home the fact that it is easier to preserve up front than to restore at the back end. The City of Los Angeles will facilitate the tour.

XII. Public Comments

William Tweed, The Sequoia Fund, indicated that one of the most important issues to him is access to public lands. There is no argument about access being an issue, however, there is a link to cultural changes. He urged the Board to address this issue carefully. He stated that the National Park Service has challenged the Sequoia Fund to get rangers in the classrooms of Tulare County and the Sequoia Fund has accepted the challenge. He stressed how important this effort is, given that most students in California have never been to the mountains. He referenced the Science and Conservation Camp (SCICON) that allows all 6th graders in Tulare County to spend a week in, and learning about, the watershed.

Phil Deffenbaugh, Army Corps of Engineers, stated that the Corps of Engineers has been going into the classrooms for 30 years. Because we have raised the level of the lake, access is an issue; we deal with this everyday and with the 150 foot yearly fluctuation of the Kaweah, it is ever changing. He is thrilled and supportive of the maintenance of the facilities but states that funding is going to be important. The future is being able to reach out and do things with partners. Capacity is increased by an additional 25%, primarily for flood control. Chairman Chrisman added this is a flood plain area and as a result of the 1955/56 flooding the community got together and created a dam committee.

Peter Stein, Pacific Southwest Research Station, is a research analyst dealing with issues such as forest health and biomass utilization. He indicated that the Research Station is a resource that is available to the SNC to provide important information. They are headquartered in Davis, but have a regional office in Fresno.

XIII. Adjournment

Chairman Chrisman adjourned the meeting at 12:50 PM.

The Modoc Line is a railway corridor which runs 85 miles from the town of Wendel, just north of Honey Lake in Lassen County, to 12 miles south of Alturas, in Modoc County. The two counties and the Bureau of Land Management (BLM) have joined in a partnership to preserve and maintain the linear integrity of the corridor for future recreational activities, as well as potential future rail service or use as an underground utility corridor.

The corridor is currently controlled by the Union Pacific Railroad (UP) through a combination of fee title ownership, rights-of-way easements and other mechanisms. Acquisition of UP's rights by a governmental or nonprofit organization would facilitate preservation of the corridor for public recreational use, and provide a variety of environmental and economic benefits for the area. Absent such acquisition, the corridor will inevitably be broken up, as easements and rights of way are abandoned, and as the UP's lands owned in fee are sold off piecemeal.

It has been proposed that each County would assume ownership of that portion of the Modoc Line right-of-way within its respective boundaries. As the underlying landowner for more than half of the 85- mile corridor, the BLM would manage the Line as a trail resource for public use and enjoyment on an interim basis, with the following management objectives:

1. Maintaining the corridor for a wide array of public uses including trail recreation, access to BLM lands for hunting and other appropriate activities, and educational and interpretive opportunities. (Maintenance of the corridor also provides the opportunity for potential future restoration of rail service and underground utility lines.)
2. Fostering a safe and inviting environment for a broad array of user groups.
3. Enhancing and preserving the natural resources of the corridor and protecting the water quality of the area.
4. Limiting the impact to, and disturbance of, adjacent private lands.
5. Encouraging responsible use of adjacent public lands.

In response to a request from Lassen and Modoc counties, SNC staff has worked with the counties and other interested parties to assist in securing a favorable outcome. Through discussions with the Union Pacific Railroad, the counties and BLM, staff coordinated a six month extension to a "Trails Exemption" which allows an opportunity for the counties to acquire the corridor and which was due to expire on September 3 of this year. The SNC and the American Land Conservancy (ALP) are now helping the

counties and the BLM to secure a fair market value appraisal of the various interests which make up the corridor. At this time, the ALC, Modoc and Lassen Counties, the Lassen Land and Trails Trust and the SNC have committed funds for the appraisal work. It is anticipated that the appraisal will be completed by the end of 2006.

With the recent extension, the "Trails Exemption" is due to expire on March 3, 2007, by which time a viable public acquisition option must be identified. At this time, a number of options for acquisition funding are being explored, including State sources such as the Wildlife Conservation Board. Staff will continue to work with the two counties and other interested parties to assist in the preservation of this irreplaceable corridor.

Proposition 84, the "SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006" would provide about \$5.4 billion in state bonds for water, flood control, natural resources, parks, and conservation projects if approved by voters in November. The Sierra Nevada Conservancy would receive \$ 54 million in funding under the water quality division. Information on this measure is included for board members information.

Bob Kingman of SNC staff recently served on a selection committee for the latest round of grants to be funded through the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (Proposition 50), specifically the Sierra Nevada - Cascade Conservation Grant Program. This round of grants will direct \$27.4 million of state funds into the Sierra Nevada – Cascade Region of the state.

Background

The committee reviewing the grant application was comprised of five representatives from the State Water Quality Control Board (2), Department of Fish and Game, the California Tahoe Conservancy, and the Sierra Nevada Conservancy. The Committee was assisted by Resources Agency staff members, who handled all of the administrative and coordination tasks for the evaluation process, and will continue to manage the grants.

Selection Process

A total of 22 applications were received requesting a total of \$42.68 million dollars for the acquisition of property or conservation easements. The committee evaluated all applications and determined that four be eliminated because of weak affiliation to water quality issues. The remaining eighteen applicants received site visits to closely evaluate the proposed acquisition and follow-up with any questions or concerns. After meeting project applicants and viewing all eighteen sites, the committee convened again to reevaluate and prioritize applications. **Recommendations have been made to Resources Secretary Mike Chrisman, and announcement of the grant recipients is expected prior to the October 5 Board meeting (additional information will be provided at that time).**

Meeting Sierra Nevada Conservancy Goals

Award of these grants will mark the first direct funding aid to the region with assistance from the Sierra Nevada Conservancy

Meeting Sierra Nevada Conservancy Goals

Award of these grants will mark the most significant regionally targeted conservation funding for the Sierra Nevada region by the State of California. Coordination with the Sierra Nevada Conservancy ensured that grants were consistent with the Conservancy's strategic objectives.

In fact, in addition to the water quality benefits associated with these projects, they also help to meet many other programmatic goals of the SNC. The properties and easements that will be acquired through this grant program will help to preserve several working landscapes, ensure the protection and careful management of critical wildlife habitat, help manage forestlands against threat of catastrophic fire, protect several cultural and historic resources, and assist in natural resource education efforts.

**OVERALL BUDGET PLAN
FISCAL YEAR 2006-07
OCTOBER 5, 2006**

*(All figures represent estimates based on the
best available information at this time).*

	\$ IN THOUSANDS
AVAILABLE FUNDS*	\$3,738
SIGNIFICANT EXPENSES ANTICIPATED	
CONSULTING AGREEMENTS**	\$1,400
FACILITIES OPERATION	\$400
EQUIPMENT/VEHICLE	\$350
STAFF & OPERATING EXPENSES	<u>\$1,588</u>
TOTAL 2006-07 FISCAL PLAN	\$3,738
PROJECTED UNEXPENDED BALANCE JUNE 30, 2007	\$- 0 -

* An additional \$200K has been authorized for expenditures in the event the SNC receives reimbursement funding.

** Consulting Agreement detail provided on page 2 & 3.

CONSULTING AGREEMENT DETAIL

OCTOBER 5, 2006

*(All figures represent estimates based on the
best available information at this time).*

OPERATIONS

PROJECTED AGREEMENTS WITH OTHER STATE AGENCIES

2006-07
\$ IN THOUSANDS

DEPT OF FORESTRY

Providing Procurement-Delegation Authority support on an interim basis while we are seeking our own Delegation Authority for SNC. Includes support for acquiring services and goods.

\$200

DEPT OF PARKS & RECREATION

Providing ongoing Human Resources support for SNC.

\$100

DEPT. OF GENERAL SERVICES

Providing ongoing Fiscal Services support for SNC.

\$75

OTHER STATE AGREEMENTS

Attorney General, Highway Patrol, Fleet, Water Resources, Data Center etc. Provides a variety of ongoing support for SNC.

\$115

SUBTOTAL OPERATIONS

\$490

CONSULTING AGREEMENT DETAIL

OCTOBER 5, 2006

*(All figures represent estimates based on the
best available information at this time).*

PROGRAM DEVELOPMENT

PROJECTED PROGRAM DEVELOPMENT AGREEMENTS WITH VENDORS

\$ IN THOUSANDS

Providing a Rapid Needs Assessment of Information Technology capabilities and needs in the SNC Region. Funded from 2005-06 fiscal year. (PSOMAS)	(\$150)
Providing strategic consulting & technical expertise in support of the Strategic, Action Plan development. Funded from 2005-06 fiscal year. (CA STATE UNIV SACTO – CCP)	(\$120)
Providing day to day support as needed for this fiscal year in the development and implementation of the initial Information Technology system for the SNC. (Selection of Vendor in process)	\$50
Providing administration of a Logo design competition among High School students throughout the 22 County Region of the SNC. (Solicitation of Vendor in process)	\$75
Developing a five year education and communication plan throughout the State to support an increased understanding of the importance of the Sierra Nevada Region. (Solicitation of Vendor in process)	\$100
Additional Program Development consulting agreements anticipated this fiscal year	<u>\$485</u>

SUBTOTAL PROGRAM DEVELOPMENT

\$710

CONSULTING AGREEMENT DETAIL

OCTOBER 5, 2006

All figures represent estimates based on the best available information at this time.

PROGRAM IMPLEMENTATION

\$ IN THOUSANDS

These funds are anticipated to be used for providing limited support to efforts and activities of various partners consistent with program goals.

\$200

**TOTAL AGREEMENTS PLANNED FOR THE
2006-07 FISCAL YEAR**

\$1,400

- We are currently in the process of hiring two additional employees, and Information Technology Analyst and an Office Assistant.
- We anticipate advertising for 2-3 additional program staff members by the end of the year (following an open exam using the Tahoe Conservancy classifications).
- We anticipate holding exams for positions in the satellite offices in January/February of next year, with employees in place by April 1.

I. Organizational Goals:

Staff has been working to implement the Organizational Goals in the Conservancy's Action Plan, adopted in July. The Action Plan calls for substantial completion of eighteen action items by the end of the 2006-07 fiscal year.

A spreadsheet, displaying in matrix form all of the Organizational Goals and tasks accomplished to date, has been attached to this report. The goals are listed in order of their target dates in the adopted Action Plan (Attachment A).

A. Capacity Building:

The Conservancy has been able to augment existing staff through the use of retired annuitants, and through an existing agreement with Sacramento State University to prepare scopes of work, prepare and advertise Requests for Proposals, prepare contracts, conduct research, and complete other tasks necessary to complete all the goals. We have entered into a contract with a consulting firm to conduct the information technology assessment, beginning with county governments in the Region. Other goals will require the use of additional contracted services; several such contracts are now underway or being developed, and are described more fully below.

Interviews are being scheduled to hire a fulltime Assistant Information Systems Analyst (AISA). This position will be immediately valuable in designing and implementing an information system for the agency and its future satellite locations. He/she will also coordinate efforts of an IT systems support consultant to maintain continued smooth operations of the Conservancy's computer network and communications infrastructure.

Planning is underway to hire more permanent staff by early to mid winter. Position descriptions are being developed and staffing patterns are being discussed to best meet the needs of the region. This is being closely coordinated with the process to establish satellite office locations.

The Conservancy has issued a Request for Proposals (RFP) seeking IT system support services for the headquarters location in Auburn. Selection of a qualified contractor is being finalized. This consultant will work closely with the AISA to help design and maintain an operable information network. The efforts and work of this consultant will directly support the agency as a whole in successfully implementing all Organizational and Programmatic Goals.

B. Completed Goals:

Headquarters Office: The Conservancy established an office in Auburn after completing a thorough evaluation and selection process involving a board committee (Organizational Goal 1.1).

Regional Database: The Conservancy has launched an E-library on the agency's Web site to improve accessibility to key federal, state, and local plans and other documents affecting the Sierra Nevada Region. The database compiled for this service contains over 540 references and is expected to grow with input and feedback from the region (Organizational Goal 2.3). The E-Library will be included as a complementary component of Organizational Goals 1.4, 3.2, 3.3, and 3.4 and will also contribute to many of the Programmatic Goals as well.

C. Progress on Specific Goals:

- The Conservancy has retained the services of Psomas Consulting to begin assessing the information needs of the region as stated in Organizational Goals 2.1 and 2.2. Psomas will begin conducting interviews with counties and a variety of stakeholders who interact regularly with counties. Following an initial set of discussions, they will communicate directly with county governments through the use of interviews and surveys. All of the information gathered will be compiled and circulated for review and comment in early 2007, with a final document anticipated in May, 2007. The Psomas assessment will also be a useful tool in accomplishing Organizational Goals 3.2, 4.3, and 5.1 and will contribute to Programmatic Goals as well.
- A Request for Proposals (RFP) is currently being advertised to hire a consultant to assist in the development of a comprehensive Communication and Education Plan (Organizational Goal 3.4). Staff anticipates a successful contracting process and for work to be completed by July 2007. Completion of this plan will be instrumental in educating the region and the state about the needs, resources, and activities with the Sierra Nevada.
- An RFP is currently being advertised to develop and administer a logo contest for high school students throughout the region. This process will provide an excellent opportunity for public outreach and education about the mission and goals of the Conservancy (Organizational Goal 3.4). The contest will be completed with anticipated Board approval of a logo in spring 2007. The winning design concept may be used for a number of agency purposes including a

California Environmental License Plate. The logo contest process will also be helpful in achieving Organizational Goals 2.2 and 5.3.

- Staff is researching and gathering information to build a comprehensive and dynamic database of potential funding sources for local partners in the region (Organizational Goal 5.2). Several meetings with federal, state, and private partners have been hosted to seek information sources and a significant amount of Internet research is being completed. Access to initial database information is anticipated by December 2007, and will be updated on an ongoing basis. This database will also complement efforts to complete Strategic Goal 5.3 and several Programmatic Goals.
- Staff is exploring development of a small contract with Green Info, a GIS/mapping firm, to complete a pilot GIS study to identify and map data related to Public and Conservation Trust Lands within the Sierra Nevada Region. Products from this study will include printed maps and a written analysis of availability and needs for similar GIS data throughout the region. Information gathered in the study will be useful in achieving Organizational Goals 2.1, 2.2, 3.2, 3.3, 4.1, 4.2, 4.3, and 5.1 as well as several Programmatic Goals and could help to identify further needed research.

II. Programmatic Goals:

Through public outreach sessions and stakeholder meetings, scheduled to occur in early spring 2007, staff will be gathering ideas and comments for the development of Program Guidelines and initiate a grants program dependent upon the availability of funding from voter approved bond measures or other sources. The guidelines development process will include establishing timelines for completion of several of the Programmatic Goals. Many of the goals are ongoing in nature and are expected to be fulfilled incrementally, as opportunities allow, over the five-year span of the Strategic Plan.

As mentioned above, staff is working to implement the Programmatic Goals in tandem with work on Organizational Goals.

Organizational Goal Number & Due Date*	Descrption of Goal	Completed	E-Library completed and made available on SNC website in August, 2006	Psomas Contract for regional assessment currently underway	Communication and Education plan RFP	Logo Contest RFP	Funding Sources Database	Green Info GIS Study	Regional Office Criteria Development	Additional Progress	
Goal 1.1 (April 2006)	Establish the SNC interim headquarters in Auburn										
Goal 2.3 (June 2006)	Identify and make available access to key federal, state and local plans and other documents affecting the region to be considered in the development of program guidelines and priorities	Goal Met when Completed									
Goal 2.1 (Jan 2007)	Conduct an informational needs assessment of governmental agencies, non-governmental organizations, private landowners, educational institutions, and other interested parties, to determine existing relevant information relating to SNC's mission, significant information gaps and potential sources of new information. In doing so, the SNC will build upon and enhance existing information infrastructure.		Goal Met when Completed				Contributes to Meeting Goal				
Goal 3.1 (Jan 2007)	Conduct a regional assessment to determine existing and potential regional and community education, shared learning and research projects that the SNC can support and enhance.									Held several meetings with State and federal partners, key stakeholders, scientists, and educators	
Goal 4.2 (Jan 2007)	Develop a program activity tracking system to ensure equitable distribution, over time, of resources across the region, subregions and programs recognizing the need to act based on opportunity, available funding and regional differences.									Meeting with staff, partners and prospective consultants to develop a matrix tracking system.	
Goal 5.1 (Jan 2007)	Develop and communicate funding needs of the region to the public, SNC partners, and decision makers at all levels (Ongoing, initial needs assessment January 2007).			Contributes to Meeting Goal			Contributes to Meeting Goal				
Goal 4.1 (July 2007)	Develop, in collaboration with other organizations, environmental, economic and social well being indices to monitor the progress in the various program and geographic areas. The indices will identify the key indicators to be monitored and measured and clearly identify performance standards.									Held several meetings with State and federal partners, key stakeholders, scientists, and educators	
Goal 1.1 (July 2007)	Determine location of a permanent headquarters location that will meet the SNC's needs and add economic value to the community (July 2007)										
Goal 1.2 (July 2007)	Establish satellite office locations based on available staff and resources and operational needs.							Goal Met when Completed			
Goal 2.2 (July 2007)	Assess preferred dissemination methods, technological needs and data limitations of SNC partners. Develop overall data acquisition and, dissemination requirements and a strategy to address SNC statutory and organizational needs, with an emphasis on improving communities' ability to access and use information.		Goal Met when Completed		Contributes to Meeting Goal		Contributes to Meeting Goal			Retained Sac State CCCP Employee to update SNC Master Contact lists	
Goal 3.2 (July 2007)	Based on this assessment and the information technology assessment, work with communities to develop a plan to address technological, communication, and technical assistance needs.	Contributes to Meeting Goal	Contributes to Meeting Goal				Contributes to Meeting Goal				
Goal 4.3 (July 2007)	Create a subregional and region wide priority setting process, consistent with the statute, to guide staff and the Board in decision making.		Contributes to Meeting Goal				Contributes to Meeting Goal				

Organizational Goal Number & Due Date*	Description of Goal		Completed	E-Library completed and made available on SNC website in August, 2006	Psomas Contract for regional assessment currently underway	Communication and Education plan RFP	Logo Contest RFP	Funding Sources Database	Green Info GIS Study	Regional Office Criteria Development	Additional Progress
Goal 3.4 (Oct 2007)	Develop an education and communication plan to support increased understanding of the importance of the Sierra Nevada within the region and throughout the state.		Contributes to Meeting Goal		Goal Met when Completed	Contributes to Meeting Goal					Developing advanced Interactive Web site design
Goal 5.2 (Oct 2007)	Leverage and improve funding options and opportunities by identifying and communicating potential funding sources to those engaged in project activities consistent with SNC's mission (Ongoing, with an initial inventory of funding sources by October 2007).						Goal Met when Completed				Held several meetings with State and federal partners, key stakeholders, former grants administrators
Goal 1.3	Ensure an open and transparent decision-making process by adopting understandable rules, guidelines, and procedures for SNC business.										Board authorized EO to write letters of support and notify board in July, 2006 Drafted guidelines for Public Information Act Requests
Goal 1.4	Conduct an ongoing robust public outreach and feedback program within the region and in other key geographic areas important to the success of the program.		Contributes to Meeting Goal		Contributes to Meeting Goal						Retained Sac State CCCP Employee to update SNC Master Contact lists
Goal 3.3	Support integrated regional and sub regional planning efforts, consistent with the SNC's mission.		Contributes to Meeting Goal					Contributes to Meeting Goal			Attending meetings
Goal 5.3	Identify and secure additional opportunities for stable funding for the SNC from all sources.					Contributes to Meeting Goal	Contributes to Meeting Goal				Review of upcoming election opportunities in addition to prop 84 Passage of AB 84 establishing Sierra Nevada License Plate

* Sorted in order of due date.

Background

Since 1992, through a number of enactments, the Legislature has authorized the California Department of Motor Vehicles (DMV) to issue specialized license plates and to make them available to owners of motor vehicles registered in California, as a method of promoting and raising funds for public and public-interest programs. Plates have been issued for the benefit of State-sponsored programs, as well as for programs conducted by nonprofit, charitable organizations. Through the marketing of these plates, substantial funds have been generated to support the designated programs.

Specialized license plates benefiting State programs include the Tahoe license plate, which helps to support the programs of the California Tahoe Conservancy, and the Coastal Protection ("whale-tail") license plate, which supports various coastal and beach enhancement programs administered by the State Coastal Conservancy and the California Coastal Commission. As of the spring of 2006, subscriptions for the Tahoe and Coastal plates numbered, respectively, about 30,000 and 89,000. The Tahoe plate currently generates about \$1 million per year for the use of the Tahoe Conservancy.

In 2004, as the result of a suit in federal court challenging the constitutionality of one of the principal enabling statutes for specialized license plates (Vehicle Code sec. 5060), the DMV was permanently enjoined from issuing any new specialized license plates, under that statute, for the benefit of private, nonprofit organizations. The court decision did not, however, affect the State's ability, pursuant to legislation, to issue specialized plates in support of the State's own policies and programs.

In January 2005, Assemblyman Tim Leslie, who had co-authored the Laird-Leslie Sierra Nevada Conservancy Act of 2004, introduced AB 84. In its original form, the bill directed the Department of Motor Vehicles to work with the Sierra Nevada Conservancy on issuance of a specialized Sierra Nevada license plate. The Sierra-specific provisions were later stricken, and the bill was converted into general authorizing legislation for specialized license plates which "have a design or contain a message that publicizes or promotes a State agency or the official policy, mission or work of a State agency."

AB 84 received widespread support from around the State, especially from nonprofit organizations active within the Sierra Nevada region, who support the goals and objectives of the Sierra Nevada Conservancy and who would like to help build stable funding sources for the Conservancy's programs. Among the organizations on record as supporting the bill are: The Sierra Fund, the Sierra-Cascade Land Trust Council, the Sierra Nevada Alliance, the Alpine Watershed Group, the Kern River Valley Revitalization, the California Council of Land Trust, and the Trust for Public Land.

AB 84 was sent to the Governor on August 24, 2006. As of this writing, the Governor had not taken action on the bill.

Overview of AB 84

Under AB 84, any State agency may request that DMV to sponsor a specialized license plate to support the agency's program. DMV must issue the plate if the requesting agency is able to tender to DMV, within 1 year following the initial request, at least 7,500 valid applications for the specialized plate from motor vehicle owners, accompanied by the required initial fees. (The bill specifies, for any given plate, an initial issuance fee of \$50, and an annual renewal fee of \$40.)

If the minimum of 7,500 applications cannot be met within 1 year after filing of the request, the agency may obtain a single 12-month extension, if it demonstrates to the DMV that it has (1) contacted all the existing applicants to ascertain whether they wish to continue their applications in effect, and (2) refunded the application fees to all applicants who do not desire to continue their applications. In no event may the agency collect or hold applications from vehicle owners beyond 24 months from the date of the initial request to DMV to sponsor the specialized plate.

After a specialized plate has been issued by DMV, the funds raised through application fees, less the amount needed to defray DMV's costs of producing and administering the specialized plate, are available for appropriation to the proposing agency. During any fiscal year, the proposing agency may use up to 25% of the funds made available to it from the license plate fees to cover "administrative costs, marketing, or other promotional activities associated with encouraging applications for or renewal of the specialized plate." The agency must submit an annual accounting report to DMV, showing all revenues and expenditures associated with the specialized plate program. If DMV detects any violation of the 25% limit, it must notify the agency that it is suspending issuance of the plate, and must impound all subsequent fees received, until such time as the agency comes into compliance with the 25% limit. If the agency fails to come into compliance within 1 year from the date of the notification, DMV is required to terminate distribution of the plate.

As in the existing specialized license plate programs, plates issued pursuant to AB 84 may also be "environmental license plates" (i.e., plates with customized lettering, which generate revenues for the State's Environmental license Plate Fund). Unlike certain specialized plates authorized in the past, however, the specialized design may not occupy the entire background of the plate, but must be kept within a designated space to the left of the numbering and (except for motorcycle plate) within a 5/8"-high strip below the numbering.

Potential for a Sierra Nevada Conservancy license plate

Staff believes that there is sufficient public interest, throughout the state, in the conservation and enhancement of the Sierra Nevada Region, and in the work of the Sierra Nevada Conservancy, to justify an effort by the Conservancy and its partners to seek a specialized Sierra Nevada license plate. Indeed, owing to the efforts of the Sierra Fund and others, over 3,000 individuals have already expressed interest in such a plate. A Sierra license plate could play a significant role in helping to publicize the work of the Conservancy, and could generate a useful nucleus of funding for the Conservancy's programs. In preliminary discussions with some of the leading organizations in the region, staff has found a high level of willingness to join with the Conservancy in such an effort.

It should be noted that the Conservancy does not currently have funds budgeted for the designing and promotion of a specialized license plate. However, the Conservancy Board has authorized the development of a Conservancy logo, which might easily serve as the central design element in a Sierra Nevada plate. As for the initial promotion, staff believes that partner organizations within in the nonprofit sector are able and willing to provide the monetary and other support needed to sustain the effort of assembling 7,500 applications from vehicle owners. (As noted above, once a Sierra license plate has passed the threshold required for issuance, a portion of the funds raised may be used by the Conservancy, as the sponsoring agency, to cover ongoing costs of administration and promotion once the plate has been issued by DMV.)

Staff recommendation

Staff recommends that the board direct staff to prepare a plan for the design and marketing of a specialized Sierra Nevada Conservancy license plate, and for a successful application to DMV for the issuance of the plate. The plan will be presented to the Conservancy Board this coming December. In addition, staff recommends that a committee of the Board be established to provide oversight for the preparation and future implementation of the plan.

Proposed Process for Selection of Location(s) for Conservancy Regional Offices

At the Board Meeting in December 2005, the Board approved a process and criteria for establishing a Conservancy Headquarters Office. While Auburn is now serving well as the interim headquarters, it has become clear that in order to effectively carry out our mission across the entire region, the establishment of regional offices should occur. With the strategic plan's emphasis on community based solutions, collaboration and partnership and given the 25 million acres, 22 counties and numerous communication and transportation challenges in the region, the presence of SNC staff throughout the region is essential.

The process proposed below would allow SNC staff to begin an analysis of the appropriate number, location and distribution of regional offices. The analysis would include the assumption that the headquarters will remain in the Auburn area (within a 30 minute drive of Auburn) and take into account factors such as geography, transportation corridors and population distribution.

Staff is proposing that for purposes of organizing the process, that the region be divided into two organizational operational units, the Mt. Lassen Area (North, North Central and Central sub regions) and the Mt. Whitney Area (South Central, South and East sub regions). Field staff would report to a Program Manager in each Area. While this structure will be helpful in developing an operational approach to carry out our mission, it is important to recognize the staff will be utilized to meet the needs of the organization and these Areas will not represent "hard boundaries."

Additionally, staff believes that the nature of these regional operations lends itself well to "co-location" with another public agency. By placing staff into existing facilities, the opportunity for support and coordination is greatest. Staffing and operational costs would be consistent with the SNC's existing base budget (the availability of bond funds could provide some additional support resources).

Finally, staff believes a committee of the board should be selected to provide oversight and direction.

Following are the proposed process, evaluation criteria, and timeline:

Regional Office Evaluation Criteria

Staff will consult with governmental and non governmental partners, including county and other local officials in identifying potential office locations. The comprehensive list of potential sites will be evaluated based on the following criteria:

Primary Considerations

- Access to major highway/s, ease of travel throughout the service area;
- Geographically located in such a way that provides for adequate coverage of the entire service area;
- Access to adequate cell phone service and high speed internet;
- Potential for “co-location” with another public agency (local, state or federal), including office space, access to support services and potential for sharing staff;
- Proximity to other governmental agencies and key stakeholders;
- Accessibility to the public;
- Employee considerations such as housing affordability, schools and health care.

Other Considerations

- Ability to contribute to a local community;
- Driving time to Headquarters;
- Facility design including but not limited to security, storage for vehicles;
- Facility appearance;
- The availability of adequate meeting facilities (reasonable distance);
- IT support availability.

Proposed Timeline

- October 10 – November 14, Review, analyze and apply evaluation criteria to potential sites, identifying top candidates, conduct site visits;
- November 21 - Propose Sites for consideration by full Board;
- December 7- Board acts upon recommendations of staff and Board committee;
- April 1, 2007 – regional offices become operational.

Recommendation

Staff recommends that the Board approve the proposed process for selection of regional offices, that a committee of the Board be selected to provide oversight and direction and that a recommendation be presented to the Board at the December meeting.